

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BERT TRAVIS LITTLE OWL,

Defendant.

Cause No. CR 10-98-BLG-SPW

ORDER

Defendant Little Owl moves the Court for compassionate release under 18 U.S.C. § 3582(c)(1)(A) in light of the COVID-19 pandemic. On August 31, 2011, he was sentenced to serve 168 months in prison for aggravated sexual abuse. *See* Minutes (Doc. 37); Judgment (Doc. 38). His projected release date is September 9, 2023. *See* Inmate Locator, www.bop.gov/inmateloc (accessed Dec. 7, 2020).

The controlling statute authorizes sentencing courts to “reduce the term of imprisonment” on a motion filed by either the defendant or his warden. A defendant is not permitted to file a motion in the sentencing court unless at least 30 days have passed since the defendant asked the warden to file a motion for him. *See* 18 U.S.C. § 3582(c)(1)(A).

In his motion, Little Owl asserted that he requested release from the warden

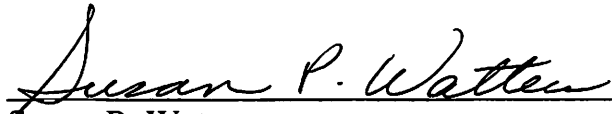
of his facility. *See* Mot. for Release (Doc. 59) at 5. He cites “Exhibit A,” but he did not submit any exhibits with his motion.

The United States responds that it finds no record that Little Owl asked the warden to file a motion on his behalf. *See* U.S. Resp. (Doc. 61) at 7. Little Owl did not reply to the response.

The Court can only conclude that Little Owl failed to comply with the statute.

Accordingly, IT IS ORDERED that Little Owl’s motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A) (Doc. 59) is DENIED.

DATED this 7th day of December, 2020.



Susan P. Watters
United States District Court